M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

DEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

SENIOR ADVISORS, LLC. LARRY MULCOCK

5445 SOUTH HIGHLAND DR. SUITE 200 SALT LAKE CITY, UT 84117

License No. 32663

NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER

2007-068 LC DOCKET No. ____

Enf. Case No. 2030

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63-46b-3 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

- 1. Respondent is an agent authorized to do the business of insurance in the State of Utah holding License number 32663.
- Respondent failed to properly respond to an inquiry of the Commissioner dated March
 2007 and Aril 30, 2007.

- 3. Thereafter, Respondent was required, by certified letter dated July 12, 2007, to provide a substantive response to the Commissioner's initial inquiry on or before July 20, 2007.
- 4. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

l. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

<u>ORDER</u>

IT IS HEREBY ORDERED:

- 1. Respondent shall pay an administrative forfeiture in the amount of \$250.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.
- 2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.
- 3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$5,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Bill Stimpson, at the Utah Insurance Department (801) 538-3078.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK KLEINFIELD, J.D.

ADMINISTRATIVE LAW JUDGE

Utah Insurance Department

State Office Building, Room 3110

Salt Lake City, Utah 84114 Telephone (801) 538-3800

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING & ORDER

To the following:

SENIOR ADVISORS LLC. C/O LARRY MULCOCK 5445 S. HIGHLAND DRIVE, SUITE 200 SALT LAKE CITY, UT 84117

DATED this 2 nd day August, 2007

Linda Hardy

Insurance Technician

Utah Department of Insurance State Office Building, Room 3110

Salt Lake City, UT 84114-6901